



EXECUTIVE ORDER NO. 2020-002 ANNOUNCING MAJOR POLICE REFORM

PURPOSE

Purpose – Limiting the use of “no-knock” warrants by the Buffalo Police Department

ORDER FROM MAYOR BYRON W. BROWN:

NEW POLICE ORDERS

There is national, state, and local effort to reform police practices to protect the safety and civil rights of citizens. The City of Buffalo, the Buffalo Police Department, and the Buffalo Common Council continue to work with community members and community partners to implement significant police and social reforms in response to the May 25, 2020 death of George Floyd in Minneapolis, Minnesota, through the Buffalo Reform Agenda.

The City’s goal is to make our community safer and protect the rights and safety of all residents of the City of Buffalo, especially Black residents who have historically experienced systemic racism. The City is further committed to ensuring that it has the best trained, and most trusted police force in this country.

The death of Breonna Taylor in Louisville, Kentucky, in March of 2020 shocked the conscience of our nation and highlighted the danger “no knock” warrants can have on the safety of citizens and police officers. “No knock” search warrants can often lead to situations that endanger both citizens and police officers and should only be used when absolutely necessary to prevent increased harm to the officers conducting the warrant and/or any citizens affected by its execution. The City of Buffalo and the Buffalo Police Department are committed to ensuring that a senseless tragedy like what occurred to Breonna Taylor does not occur in the City of Buffalo.

Reduction in use of “No-Knock Warrants” in the City of Buffalo

Effective immediately, I hereby direct the Commissioner of the City of Buffalo Police Department to adopt a policy that all search warrants executed by the Buffalo Police Department shall be done by the “knock and

announce” method, where officers must (1) knock on the door of the building or residence they are trying to search, (2) identify themselves clearly as police officers, (3) indicate why they are there and what they plan on doing, and (4) wait a reasonable amount of time for the occupants to answer the door.

There still may be certain occasions where the “knock and announce” method could lead to increased risk to an officer or citizen. In those situations, “no knock” warrants may only occur when the “knock and announce” method of serving a warrant would clearly and likely increase the risk to the safety of the officer or citizens. As an added safe guard, “no knock” warrant applications may only go to a judge after gaining authorization from the Deputy Commissioner of Operations, or the Chief of Detectives, who can either permit the officer to seek a “no knock” warrant, or decline their request. The facts to support a “no knock” warrant must be detailed in the search warrant application and must explain why the knock and announce method would increase the risk to officer safety in any potential case. The judge would ultimately decide whether or not to grant the warrant.